

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TRACY JOHNSON,

Defendant.

8:13CR375

ORDER

This matter is before the court on the defendant's, Tracy Johnson, motions for copies of his docket sheet and other case filings (Filing Nos. 46 and 47). The defendant explains he is considering filing a motion under 28 U.S.C. § 2255 to challenge his stipulated sentence and fabricated enhancement. **See** Filing No. 46. As explained in the court's previous order entered on March 25, 2015, before free copies of the record are furnished to the defendant, there must be a motion for collateral review of his conviction. **See** Filing No. 45 - Order (citing *Chapman v. United States*, 55 F.3d 390, 390-91 (8th Cir. 1995) (stating any request for a free transcript prior to the filing of a § 2255 motion is premature)). Accordingly, the court finds the motions should be denied at this time without prejudice to reassertion after filing a § 2255 petition or other timely motion. Upon consideration,

**IT IS ORDERED:**

The defendant's motions (Filing Nos. 46 and 47) are denied.

Dated this 29th day of April, 2015.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge